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C O N F I D E N T I A L SECTION 01 OF 02 BEIJING 004687

SIPDIS

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TAGS: [PREL](#) [PHUM](#) [PTER](#) [CH](#) [TW](#)

SUBJECT: AMBASSADOR-AFM LIU MEETING ON GUANTANAMO UIGHURS,
TAIWAN INAUGURAL PARTICIPATION, RIGHTS ACTIVIST LIU XIAOBO

REF: BEIJING 4670 AND PREVIOUS

Classified By: Ambassador Clark T. Randt, Jr. Reasons 1.4 (B) and (D).

Summary

¶1. (C) China is "gravely concerned" by statements that the United States is considering transferring PRC citizen Uighurs detained at Guantanamo to a third country rather than repatriating them to China, Assistant Foreign Minister Liu Jieyi told the Ambassador December 29. The Uighur detainees are members of a UN-listed terrorist organization, the East Turkestan Islamic Movement, and as such should be given to China to be dealt with under Chinese law, he said. The United States should not allow Taiwan Legislative Yuan President Wang Jyng-ping to lead an "official delegation" to the United States for the upcoming U.S. presidential inauguration, Liu said. The Ambassador responded that the administration is not inviting delegations from abroad, but rather only representatives of the Washington-based diplomatic corps, to the inauguration. The Ambassador raised concerns regarding the continued detention of Charter 08 signer and organizer Liu Xiaobo and urged the Chinese Government to release him and stop harassing peaceful dissidents. Liu responded that the issue of Liu Xiaobo is one of rule of law rather than of human rights, and that the case is being dealt with in keeping with Chinese law. End Summary.

"Chinese Uighur Terrorists in Guantanamo"

¶2. (C) Assistant Foreign Minister Liu Jieyi called the Ambassador into the Foreign Ministry December 29 to officially record China's "grave concern" over the State Department spokesperson's December 23 statements that repatriating Chinese Uighurs held in Guantanamo to China would not be prudent and furthermore that the USG appreciates the consideration given by Germany, Portugal, France, Switzerland and other European states to accepting these individuals. The suspects are members of the East Turkestan Islamic Movement (ETIM), a group listed by the UN Security Council (UNSC) Resolution 1267 committee as a terrorist organization, AFM Liu alleged. Furthermore, the U.S. Department of Justice has indicated that the suspects acknowledged in interviews that, when captured, they were in Afghanistan for weapons training to fight the Chinese Government. As such, the Uighur detainees should be returned to China "as a matter of course" so that they can be dealt with in keeping with Chinese law. Transferring them to a third country would violate the relevant UNSC resolutions, would not be in keeping with the United States' international commitments, would harm China's judicial sovereignty and national security, and could end up being a risk to U.S.

security as terrorists sometimes turn their focus from one nation to another, Liu said.

¶3. (C) China believes U.S.-China counter-terrorism cooperation should be based on reciprocity and mutual benefit and therefore opposes transferring the Uighur detainees to a third country. Noting that Sino-U.S. relations are at an important "moment of transition," he urged the United States to consider overall bilateral relations, our common counter-terrorism interests and the "utmost sensitivity" of the issue and repatriate the individuals to China. Doing so would avoid harm to bilateral relations and to cooperation "in important areas." AFM Liu also urged the USG to advise the incoming administration of the importance of this issue. The Ambassador took note of PRC concerns.

Taiwan Inauguration Delegation

¶4. (C) China is "extremely concerned" by reports in the Taiwan press that Taiwan's "so-called" Legislative Yuan President Wang Jyng-ping will "lead an official delegation" to the United States for the January 20 inauguration, Liu said. Furthermore, the delegation may include opposition party DPP representative Annette Lu, whom he described as "bent on Taiwanese independence." Noting that Taiwan is the most sensitive issue in Sino-U.S. relations and that China's one-China principle "cannot change," Liu said that China firmly opposes official exchanges between the United States and Taiwan. As the inauguration is an important and official event, participation by the delegation and Annette Lu would

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be a serious violation of the One China policy and the three Joint Communiques, would "send a seriously wrong signal" to Taiwan independence forces, and would interfere with bilateral and cross-Straits relations, Liu said. He urged the United States to recognize the sensitivity and complexity of the Taiwan issue and not allow the delegation or Annette Lu or other "independence characters" to attend, nor to conduct any official U.S.-Taiwan exchanges, and to advise the incoming administration and Congress of the sensitivity of the issue. Liu added that the United States should guard against allowing Wang and the delegation to travel to the United States and to characterize the trip as "official."

¶5. (C) The Ambassador responded that while representatives of the Washington-based diplomatic corps are invited to the inauguration, no delegations are invited from abroad. As such, there are no "official" foreign delegations attending at the invitation of the Administration.

Human Rights: Charter 08 and Liu Xiaobo

¶6. (C) The Ambassador raised U.S. concerns regarding the continued detention of dissident writer and rights activist Liu Xiaobo (reftel), a signer of and organizer behind the Charter 08 democracy manifesto issued in conjunction with international Human Rights Day December 10. The Ambassador noted deep U.S. concern regarding reports that Chinese citizens have been detained, interrogated and harassed as they prepared to commemorate Human Rights Day and the 60th anniversary of the adoption of the Universal Declaration of Human Rights. He stressed particular concern regarding the well-being of Liu, who remains in custody and called on the Chinese Government to release Liu and cease harassment of all Chinese citizens who peacefully express the desire for internationally recognized fundamental freedoms.

¶7. (C) AFM Liu responded that this issue is a rule of law issue, not a human rights issue and expressed certitude that the case would be dealt with in accordance with PRC law. He disagreed with the U.S. assertions as to what should be done with Liu and any others on the grounds that the only determinant for the correct handling of the matter will be

PRC law. Furthermore, AFM Liu stated, the Chinese Government does not accept outside interference in China's internal affairs.
Randt

HTS ACTIVIST LIU XIAOBO...